

COMMON COUNCIL MEETING MINUTES

AS AMENDED

MONDAY, APRIL 17, 2006 – 6:00 P.M.

COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEMBERS PRESENT:

Mayor James Brainard, Council President Richard L. Sharp, Council Members, Kevin Kirby, Brian D. Mayo, Joseph C. Griffiths, Fredrick J. Glaser, Ronald E. Carter, Clerk-Treasurer Diana L. Cordray and Deputy Clerk-Treasurer Lois Fine.

Councilor Rattermann was absent.

Mayor Brainard called the meeting to order at 6:00 p.m.

Pastor Steve Poe, Northview Christian Life Church, pronounced the Invocation.

Mayor Brainard led the Pledge of Allegiance.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:

There were none.

APPROVAL OF MINUTES:

Councilor Mayo made a motion to approve the Minutes of the March 6, 2006 Regular Meeting. Councilor Griffiths seconded. Council President Sharp called for the question. The Minutes were approved 5-1 (Councilor Carter abstained).

Councilor Mayo made a motion to approve the Minutes of the March 7, 2006 Special Meeting of the Carmel City Council and The Carmel-Clay School Board. Councilor Griffiths seconded. There was brief Council discussion. Councilor Mayo wanted to add to the record what he understood was said by Mr. Roger McMichael. Mr. McMichael said that TIF did not have a negative impact on the school system. Councilor Mayo also stated that Mr. McMichael is very receptive to the TIF areas within the city, and he thinks it is a very viable economic tool. Council President Sharp called for the question. The Minutes were approved 4-2 (Councilors Carter and Kirby abstained).

Councilor Mayo made a motion to approve the Minutes of the March 20, 2006 Regular Meeting. Councilor Sharp seconded. Council President Sharp called for the question. The Minutes were approved 4-2 (Council President Sharp and Councilor Kirby abstained).

Councilor Mayo made a motion to approve the Minutes of the March 24, 2006 Special Meeting. Councilor Griffiths seconded. Council President Sharp called for the question. The Minutes were approved 5-1 (Councilor Kirby abstained).

Councilor Mayo made a motion to approve the Minutes of the March 27, 2006 Special Meeting. Councilor Griffiths seconded. Council President Sharp called for the question. The Minutes were approved 4-2 (Councilors Kirby and Carter abstained).

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:

Adrienne Keeling, Department of Community Services, presented an update on the Comprehensive Plan. There will be a public Open House (for discussion of the draft) at City Hall on Saturday, May 6, 2006 from 8:00 a.m. to 2:00 p.m.

COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:

There were none.

ACTION ON MAYORAL VETOES:

There were none.

CLAIMS:

Councilor Mayo made a motion to approve the claims in the amount of \$1,495,604.26. Councilor Griffiths seconded. Council President Sharp called for the question. Claims were approved 6-0.

COMMITTEE REPORTS:

Councilor Kirby reported that the Finance, Administration and Rules Committee met this evening and discussed Ordinance D-1798-06 which was forwarded to the full Council with a 2-0 favorable recommendation. They also discussed Ordinance D-1799-06 which will remain in committee, and Ordinance D-1801-06 which was forwarded to the full Council with a 2-0 favorable recommendation.

Councilor Glaser reported that the Land Use, Annexation and Economic Development Committee had not met.

Councilor Carter reported that the Parks, Recreation and Arts Committee met on Tuesday, April 11, 2006 and discussed the Central Park progress and a review of the covenants and implementation of the speed limit on the Monon.

Councilor Kirby reported that the Utilities, Transportation and Public Safety Committee had not met.

OLD BUSINESS

Third Reading of Ordinance D-1798-06; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing the Issuance of the City of Carmel, Indiana Taxable Economic Development Revenue Bonds, Series 2006 A (Indiana Design Center, LLC Project), and the Lending of the Proceeds Thereof to Indiana Design Center, LLC, and Authorizing and Approving Other Actions in Respect Thereto (\$4,000,000). There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1798-06** was adopted 6-0.

Third Reading of Ordinance D-1799-06; An Ordinance of the Common Council of the City of Carmel, Indiana, Pertaining to Bidding on Certain Public Works Projects (Section 2-183, Immediate Family Bidding Restriction On Public Works Projects). This Ordinance will remain in the Finance Committee.

Second Reading of Ordinance D-1801-06; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing the Acceptance of Utility Payments Made by Credit Card (Water and Sewer Payments by Credit Card). There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1801-06** was adopted 6-0.

PUBLIC HEARINGS

Council President Sharp announced the **First Reading of Ordinance Z-489-06;** An Ordinance of the Common Council of the City of Carmel, Indiana, Rezoning District Classification, Rezoning the Property Located Southwest of the Intersection of Main Street and Old Meridian Street from Old Meridian/Special Use (OM/SU) and Old Meridian/Single Family Attached (OM/SFA) to the Old Meridian Mixed Use (OM/MU) Classification (Centex Homes-Old Meridian). Councilor Kirby made a motion to move this item into business. Councilor Glaser seconded. Councilor Glaser referred to Jim Shinaver, Attorney, Nelson & Frankenberger, 3105 East 98th Street, Suite 170, Indianapolis, Indiana 46280, for a presentation to Council. Also in attendance was Sean Sullivan, Centex Homes. There was no Council discussion. Council President Sharp opened the Public Hearing at 6:24 p.m. Seeing no one who wished to speak, Council President Sharp closed the Public Hearing at 6:24:30 p.m. Councilor Kirby made a motion to suspend the rules and not send this item to committee and vote this evening. Councilor Carter seconded. Council President Sharp called for the question. The motion failed 5-1 (Councilor Griffiths opposed). Council President Sharp referred Ordinance Z-489-06 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

Council President Sharp announced the **First Reading of Ordinance Z-488-06;** An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Schedule of Uses of the Carmel Zoning Ordinance (Appendix A). Councilor Kirby made a motion to move this item into business. Councilor Mayo seconded. Councilor Glaser referred to Adrienne Keeling, Department of Community Services, for a presentation to Council. There was no Council discussion. Council President Sharp opened the Public Hearing at 6:30 p.m. Seeing no one who wished to speak, Council President Sharp closed the Public Hearing at 6:30:15 p.m. Council President Sharp referred Ordinance Z-488-06 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

NEW BUSINESS

Council President Sharp announced the **First Reading of Ordinance D-1802-06;** An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 2, Article 3, Division II, Section 2-62 of the Carmel City Code (Procedure For Use of City Credit Cards). Councilor Kirby made a motion to move this item into business. Councilor Mayo seconded. Councilor Mayo referred to Doug Haney, City Attorney, for a presentation to Council. There was brief Council discussion. Council President Sharp referred Ordinance D-1802-06 to the Finance, Administration and Rules Committee for further review and consideration.

Council President Sharp announced the **First Reading of Ordinance D-1804-06;** An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 6, Article 4, Section 6-66 of the Carmel City Code (Use of Skateboards and Similar Wheeled Toy Vehicles). Councilor Kirby made a motion to move this item into business. Councilor Glaser seconded. Councilor Carter presented this item

to Council. There was brief Council discussion. Councilor Kirby made a motion to suspend the rules and not send this item to committee and vote this evening. Councilor Carter seconded. Council President Sharp called for the question. The motion was approved 6-0. Council President Sharp called for the question. **Ordinance D-1804-06** was adopted 6-0.

OTHER BUSINESS

Second Reading of Ordinance D-1782-05; An Ordinance of the Common Council of the City of Carmel, Indiana to Vacate a Segment of Right-Of-Way for River Road; Sponsor: Councilor Glaser. TABLED 12/19/05. This ordinance remains tabled.

ANNOUNCEMENTS

There were none.

EXECUTION OF DOCUMENTS

Mayor Brainard adjourned the meeting at 6:40 p.m.

ADJOURNMENT

Respectfully submitted,

Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

Mayor James Brainard

ATTEST:

Clerk-Treasurer Diana L. Cordray, IAMC